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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2816 OF 2006

Prashant Paldewar & Anr. ... Petitioners

Vs.

State of Maharashtra & Ors. ... Respondents

Mr. Nilesh Pawaskar with Ms. Aparna Vhatkar for the petitioners.

Mr. S.R. Borulkar, Public Prosecutor with Mr. S.S. Pednekar, A.P.P. for the State.

CORAM : SMT. RANJANA DESAI & ANOOP V. MOHTA, JJ.

DATED : 14TH FEBRUARY, 2007.

P.C.:-

1. The petitioners are the accused in FIR No.45 of 2006 registered with Economic Offences Wing, Mumbai. The said FIR is registered under sections 406, 420 read with section 34 of the IPC against the petitioners. It appears that the petitioners and respondent 4 have amicably settled the dispute. An affidavit dated 8/1/2007 has been filed in this court by respondent 4. Respondent 4 has stated in the said affidavit that he has settled the dispute with the petitioners, amicably. He has further stated that he does not wish to prosecute the petitioners and, hence, the petition praying quashing of FIR lodged by the petitioners be allowed. The petitioners and respondent 4, who are present in the court have reiterated that the matter is settled out of

court.

2. In view of the judgment of the Supreme Court in ***B.S. Joshi & Ors. v. State of Haryana & Anr. (2003) 4 SCC 675*** and considering the fact that the parties have settled the dispute and also the fact that the dispute is of individual nature and appears to be a civil dispute, FIR No.45 of 2006 registered with the Economic Offences Wing, Mumbai is quashed. Petition is disposed of.

[SMT. RANJANA DESAI, J.]

[ANOOP V. MOHTA, J.]